



CITY OF MORGAN HILL

17555 PEAK AVENUE, MORGAN HILL, CALIFORNIA 95037-4128 (408) 779-7247
Website Address: www.morgan-hill.ca.gov / Email: General@ch.morgan-hill.ca.gov

PLANNING COMMISSION

TUESDAY, JUNE 12, 2001

**CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA**

COMMISSIONERS

COMMISSIONER GENO ACEVEDO
COMMISSIONER ROBERT BENICH
COMMISSIONER RALPH LYLE
COMMISSIONER PATRICIA MCMAHON
COMMISSIONER JOSEPH MUELLER
COMMISSIONER BARBARA SULLIVAN
COMMISSIONER CHARLES WESTON

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*

- *Presentations are limited to 5 minutes.*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH GOVERNMENT
CODE SECTION 54954.2 - SECRETARY REPORT**

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

MINUTES : May 22, 2001 and May 29, 2001

SELECTION OF CHAIR/VICE CHAIR :

Recommendation : Select Chair/Vice Chair in accordance with City Council adopted policy.

OLD BUSINESS :

1. **USE PERMIT, UP-01-02: KEYSTONE MARTIN CONCEPTUAL REVIEW:** A request to construct a two-story, 6,712 sq. ft., mixed office/residential structure at 20 Keystone Rd. (APN 764-16-017)

Recommendation : Review and discussion of the proposed building design.

2. **ZONING AMENDMENT, ZA-01-04/ANNEXATION, ANX-01-02: MONTEREY-CHRISTENSEN :** A request to annex 9.81 acres on the east side of Monterey Rd. between Tennant Ave. and Watsonville Rd. and re-zone the parcel from County zoning designation of A-20 to City zoning designation ML Light Industrial District. (APN 817-06-006)

Recommendation : Motion to table the items, or should the Commission wish, adopt Resolution Nos. 01-34 (zoning amendment) or 01-35 (annexation), with recommendation to forward to the City Council for approval.

3. **VARIANCE, VAR-01-01/ZONING AMENDMENT, ZAA-99-14/USEPERMIT, UP-99-07: CITY OF MORGAN HILL-COMMUNITY CENTER AND PLAYHOUSE :** Proposal to develop an approximately 21,586 square foot community center and a 10,500 square foot

educational center for Gavilan College at the northeast corner of East Dunne Avenue and Monterey Road. The project consists of the following applications: 1) Variance from Section 18.50.020 of the Municipal Code to allow for provision of approximately 265 parking spaces in conjunction with the proposed Community and Cultural Center where approximately 350 would be required by that Code section. An environmental impact report was prepared and certified for the Community Center project. That EIR required certain measures be implemented to mitigate for the potential parking shortage. 2) Rezone the site at the northeast corner of Diana Avenue and Monterey Road and the site at the southeast corner of East Fifth Street and Monterey Road from Central Commercial-Residential (CC-R) to Public Facilities to accommodate the proposed performing arts theater and 3) approval of a conditional use permit for the proposed community center and public educational facility. (APNs 726-13-001, 002 & 003)

Recommendation : Adopt Resolution Nos. 01-41 (use permit), 01-40 (zoning amendment) and 01-39 (variance), with recommendation to forward the zoning amendment request to the City Council for approval.

NEW BUSINESS :

4. **ZONING AMENDMENT, ZA-00-17/SUBDIVISION, SD-00-14/DEVELOPMENT AGREEMENT, DA-00-09: LLAGAS-DELCO :** A request for approval of a 27 lot subdivision, precise development plan and development agreement for a single family housing project proposed on a 16.5 acre parcel located on the south side of Llagas Rd., approximately 400 ft. west of the Hale Ave. and Llagas Rd. intersection. The project is located in the R-1 7,000 zoning district. A Mitigated Negative Declaration is proposed for the project. (APN 764-32-005)

Recommendation : Adopt Resolution Nos. 01-42 (zoning amendment), 01-43 (subdivision) and 01-44 (development agreement), with recommendation to forward requests to the City Council for approval.

5. **ZONING AMENDMENT, ZA-00-18/SUBDIVISION, SD-00-15/DEVELOPMENT AGREEMENT, DA-00-10: HALE-DELCO/SHENG :** A request for approval of a 13 lot subdivision, precise development plan and development agreement for a single family attached housing project proposed on a 4.14 acre parcel located on the west side of Hale Ave., approximately 1,400 ft. south of the Hale Ave. and Llagas Rd. intersection. The project is located in the R-2 3,500 zoning district. A Mitigated Negative Declaration is proposed for the project. (APN 764-32-013)

Recommendation : Adopt Resolution Nos. 01-45 (zoning amendment), 01-46 (subdivision) and 01-47 (development agreement), with recommendation to forward requests to the City Council for approval.

6. **DEVELOPMENT AGREEMENT AMENDMENT, DAA-00-08: BERKSHIRE-SINGH :**
A request for approval of a development agreement amendment to allow for an extension of time

for the construction of a four-unit single-family project. The subject project is located at the northeast corner of Hale Ave. and Llagas Rd. (APN 764-23-054)

Recommendation : Adopt Resolution No. 01-48, with recommendation to forward to the City Council for approval.

7. **VACATION OF A PORTION OF DIANA AVENUE** : Request to vacate 0.23 acres of the public right-of-way of Diana Avenue located east of Monterey Road.

Recommendation : Adopt Resolution No. 01-30, with recommendation to forward to City Council for approval.

8. **HOUSING TYPE DISTRIBUTION AND TERM FOR 2001-02 MEASURE "P" COMPETITION (FY 2003-04 BUILDING ALLOTMENT)**

Recommendation : Adopt Resolution No. 01-49, with recommendation to forward to the City Council for approval.

TENTATIVE UPCOMING AGENDA ITEMS FOR THE JUNE 26, 2001 MEETING :

- S GPA-98-02: City of Morgan Hill-General Plan Update
- S ZA-01-06: City of Morgan Hill-General Plan Rezonings
- S AP-01-02 (VAR-99-03): Monterey-Vision of Wright/Oak Glen Plaza
- S ZA-00-21: Nina Lane-Shaw
- S SD-00-19: Nina Lane-Shaw
- S DA-00-13: Nina Lane-Shaw
- S UPA-98-07: Monterey-Irish Construction
- S UP-01-02: Keystone-Martin
- S Madrone Water Tank Report

ANNOUNCEMENTS

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE
AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

***NOTICE IS GIVEN** pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

